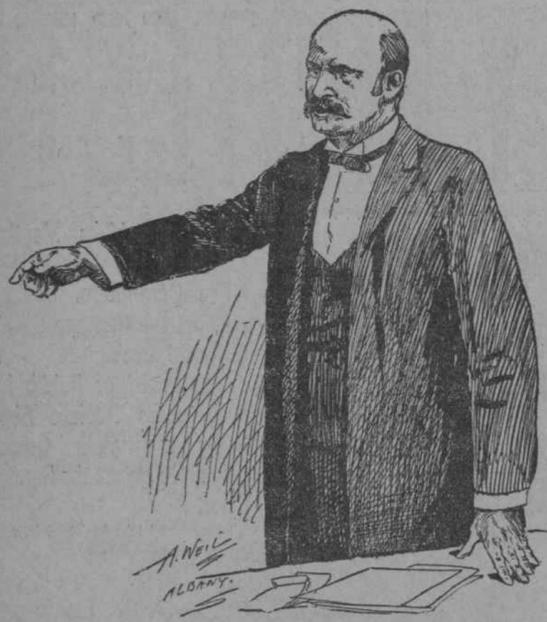


RAMAPO WATER COMPANY

LED BY EX GOVERNOR DAVID B. HILL, WAGE HOT WAR ON RAMAPO'S ROTTEN CHARTER

Overwhelming Proof That the Company is Merely a "Capitalized Pull" Forces a Whine for "More Time."



David Bennett Hill.

He led the Journal's counsel in the attack at Albany for the annulment of the Ramapo Water Company's charter.

ALBANY, Aug. 30.—The legal proceedings begun by the Journal to exterminate the Ramapo Water Company, terminate the Ramapo Water Company, took definite form today. In accordance with the notice served on Attorney-General Davies last Thursday, the legal aspects of the case against the company were presented and a request made that the State Institute at once a suit to declare the company's charter forfeited.

The expected happened. After the case against the company was laid before the Attorney-General, the company's counsel asked for a postponement. A brief contention ensued, and the hearing was postponed until next Wednesday, at 11:30 o'clock.

The motion for the postponement was not made until after the Journal's reasons for

the application were presented, so that the company has now a week in which to study the legal points it has to combat, and a whole week in which to prepare its defence.

But it is the opinion of good lawyers here that these advantages will not prevail, and that the company's life, through the efforts of this newspaper, is nearing its end.

It was a notable hearing and attracted widespread attention. At the big square desk in the library of his office sat Attorney-General Davies. At his left hand was his deputy, Frank M. Parsons, an able lawyer, who is familiar with all legal matters bearing upon corporations.

It is unusual for the Attorney-General to thus fortify himself with the presence of his deputy, and was a tribute to the importance of the case.

Directly opposite Mr. Davies sat former Senator David B. Hill and Bernard Naumburg, of the law firm of Einstein & Townsend, counsel for the Journal. Throughout the hearing Mr. Hill dug steadily into big legal tomes, examined papers and followed closely the line of argument.

He was ever ready with suggestions. He made comments and answered with crushing sentences the asides of the opposing lawyer.

Lauterbach's Fine Italian Hand. This opposing lawyer was Eugene Treadwell, of the law firm of Hoadly, Lauterbach & Johnson. It was the second time that Mr. Lauterbach had publicly acknowledged his interest in the attempt to mulct the taxpayers of New York City out of \$200,000,000.

Mr. Treadwell sat on Mr. Hill's right, a gloomy, saturnine figure. His face wore a sullen, suspicious expression, and he seemed to brood over the points that were humorous. From the outset he was alert and watchful and quick to interpolate remarks

that he thought might weaken the array of facts piling up against him, or that might embarrass his opponents.

The big case was covered with documents offered by the Journal in support of its case. There were certificates from the Secretary of State and the State Comptroller showing that the company had violated the law in the matter of making reports, in its failure to have half its capital stock subscribed, and in that it has paid no taxes. There were also certificates from county clerks, proving that no taxes had been paid. There were briefs and marking sections of the law that bears upon the case. Mr. Naumburg presented one after another. They paraded to the front like the soldiers of an invincible regiment.

Bitter Medicine for Ramapo. The evidence was cumulative, overpowering, convincing. Fact was piled on fact until it grew monotonous. Everything touched upon was additional proof that the Ramapo Company was only a shadow without a drop of water or a foot of land;

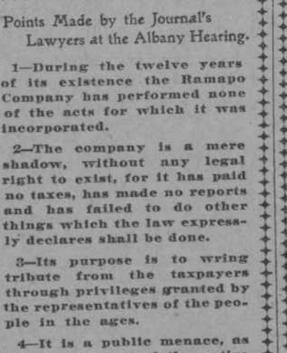


Eugene Treadwell.

He appeared at Albany for the Ramapo Company to secure delay in the Journal's action to annul their charter.

Points Made by the Journal's Lawyers at the Albany Hearing.

- 1—During the twelve years of its existence the Ramapo Company has performed none of the acts for which it was incorporated.
- 2—The company is a mere shadow, without any legal right to exist, for it has paid no taxes, has made no reports and has failed to do all other things which the law expressly declares shall be done.
- 3—Its purpose is to wring tribute from the taxpayers through privileges granted by the representatives of the people in the ages.
- 4—It is a public menace, as it seeks to control the entire water supply to the detriment of the people.
- 5—Its influence is rooted in political corruption.
- 6—It seeks to unlawfully profit at the public expense.



Bernard Naumburg.

He is one of the Journal's attorneys who argued at Albany yesterday for the annulment of the Ramapo charter.

that its right to life was based merely upon prospective contracts which must be secured before the company could operate under its charter. Authorities were quoted to sustain the Journal's contention that the company had forfeited its charter.

It was shown that the company is a non-user, that it has transacted no business within the meaning of the statute, and that it has done nothing except to enter into illegal contracts; that it has paid no taxes anywhere, made no reports and has no gross receipts. Mr. Naumburg asserted that the company had used political influence of all kinds.

"You have affidavits to that effect?" queried Mr. Treadwell.

"A mass of them," interposed Mr. Hill, with the sarcasm.

Mr. Treadwell's reply was a plea for more time. He said the notice was too short for New York City could not suffer any by a week's delay.

"You claim the company never did business," he said, plainly. "Why want to stop us?"

A little later, in reply to a statement made by Mr. Treadwell, Mr. Hill said: "The company may have used water to water its stocks, and it may have laid pipes in the air."

This caused a ripple of laughter.



Listening to David B. Hill's Argument.

Deputy Attorney-General Frank M. Parsons. Attorney-General Davies.

Mr. Treadwell stated that statements had been made, opinions offered and a number of affidavits have been made and filed, and also certificates from the State officers, wanted an opportunity to read those affidavits and to read those certificates, to enable him to see how far they represent the facts and how far they are to be corrected.

Asked a Week's Delay. Mr. Treadwell suggested a week's adjournment. "Too long," said Mr. Hill, and added:

"So far as the injunction first granted is concerned, it is upon the application of a citizen over whom we have no control, and neither have the city authorities. But unquestionably the action is brought in entire good faith, and will be prosecuted as such. The action brought by the Comptroller will also act as a stay of proceedings, but the question as to whether the contract is to be executed or not has nothing to do with the question of the dissolution of the company."

"For the present I concede that this company is bound hand and foot, and very properly so."

On Mr. Hill's suggestion the Attorney-General directed that the Ramapo answer should be in affidavit form, and continued a suggestion that alarmed Mr. Treadwell.

"I think it would be better," said Mr. Hill, "and I think more satisfactory to your Honor and satisfactory to counsel, if subpoenas could be issued and a hearing had in this matter. If there is to be this determination of a question of fact, I make that suggestion, sir, which you can examine between now and this adjournment, and determine whether it should be done."

This course had not been followed in any case during Attorney-General Davies's official career, and he did not know whether it could be. He said "We will cross that bridge when we get to it."

It was finally decided that an adjournment be taken until next Wednesday, September 6, at 11:30 a. m., when the Ramapo answer is to be filed, the arguments made and briefs filed. The Journal is permitted to file additional affidavits amplifying the proof already made.

"THIS IS A BI-PARTISAN MASS MEETING AGAINST A BI-PARTISAN JOB." — COMPROLLER COLER at Cooper Union.

Continued from First Page.

only showed the depth of feeling in the audience.

Then when he finished Mr. Sterne introduced Comptroller Coler. In the fight against the Ramapo Company Coler has ever been the Man on Horseback. The crowd recognized the fact in a tornado of applause. In a jiffy Coler had blossomed into a popular idol, a new possibility for future Mayoralties.

In a few words he ripped the Ramapo rag doll to pieces and let the sawdust escape. His speech was brief and to the point.

He was followed by Charles F. Adams. Then came the reading of telegrams of regret from many notable men who found it impossible to attend the meeting.

At 11 o'clock the crowd came streaming out into the street to the music of Fandelli's band, only to find the red-free meeting on the outside still in full blast. Thousands took on a new lease of energy and remained until the finish. There were but few among that vast outpouring of men who did not come away convinced that the Ramapo water serpent had been killed.

The Journal's enormous mass meeting was a glorious closing to a day full of disaster for the water thieves.

In several other quarters they were branded with the hot irons of indignation and strung up by the thumbs, so to speak, for the public to boot at.

Public protest against the attempted robbery took form and shape in divers ways. At Albany Senator Hill and Lawyer Naumburg, on behalf of the Journal, asked that the Attorney-General begin proceedings to declare void the charter of the Ramapo Water Company.

Here for the first time the water thieves showed a tangible front. They were represented by the law firm of Hoadly, Lauterbach & Johnson. His plea was for delay.

Here at last was the voice of the Ramapo goliath. It was like unto the wall of Pyrrhus standing between good and evil—the squeal of Burridan's donkey before an unattainable measure of oats.

The Attorney-General decided to hear both sides of the case on Wednesday next.

While the foes of the Ramapo Company were fighting it out in Albany a big public meeting was being held in this city by the Board of Public Improvements to give the members of the Board who had voted for the losing project a chance to explain their position. At this meeting the Ramapo Company received what may be a mortal blow.

RAMAPO MERELY A SHADOW, SAYS DAVID BENNETT HILL.

Albany, N. Y., August 30, 1899.

Chairman of Citizens' Mass Meeting, Cooper Union, New York:

THE legal proceedings here to-day before the Attorney-General demonstrated prima facie that the Ramapo Corporation is largely a mere shadow, without substance, assets, responsibility or lawful existence.

The facts developed cannot well be changed at any subsequent hearing. I am confident that the rights and interests of the citizens and taxpayers of New York City will be fully protected in the final result.

DAVID B. HILL.

public works for the private water works.

We are now asked to reverse this policy, and to pay to a private water company \$3,000,000 per annum for forty years, and this huge sum is but in small part to supplement the magnificent water works of our own municipality.

What does that mean? Can the Hudson River start at an elevation of not less than 2,000 feet at its source and come by a gravity system of transmission to the city of New York under no pressure whatever. The Saugerties Creek starts in the Catskill Mountains at an elevation of not less than 2,900 feet and comes by a system of gravitation to the Hudson River under no pressure whatever.

This suggestion of the 420 feet in the contract is meant to have you imagine that you are getting water delivered at the fire hydrant under a pressure of about 150 pounds to the square inch, as though a stand-pipe of about 420 feet in height were delivering water within a few hundred feet of the hydrant.

That is not what the proposed contract provides for. The contract provides that the water shall come from a level of 420 feet above the level of the sea and be delivered "by gravity" at the reservoir, which, in other words, means that the water of the Ramapo Company is to be permitted to flow into the aqueduct, as rivers, brooks or creeks flow by the law of gravitation into the sea.

is all pretense. It sounds as though the water works of the city and wholesome and come from the mountainous and rocky regions where the population is sparse and is and will remain and contribute to the contamination and pollution, but the contract very carefully does not make the Ramapo Company promise this.

It says artfully that the Commissioner of Water Supply has examined the source of this water and that it is pure and wholesome water.

The Ramapo Company carefully provide in other parts of their proposed contract that their water supply shall not be required to be better than the water of the Croton and the Long Island water sheds and that the company will suffer no detriment whatever if the supply is inadequate and they fail in their contract.

Further than this, the Ramapo Company, conscious of its own weakness, and doubtful of its power for its own gain to condemn for public purposes the water works which under its charter it claims to have a right to take, and to enable it to plunder the city of New York out of these huge sums of money, has inserted the following provision in the proposed contract:

The city of New York agrees to authorize and does hereby authorize the agent and representative of the city of New York so far as it may be necessary for the fulfilment of this contract.

year, in Manhattan and the Bronx the supply is from 30 to 50 per cent in excess of the consumption, but this consumption involves in New York and Bronx the stupendous per capita of about 120 gallons per day for each man, woman and child.

Here is room for great reform, and the Deacon system of discovering waste and remedying it has doubled the supply in many of the cities of England.

That this same condition of waste prevails in the City of New York is evidenced by the fact that in every part of the city where excavation is made a body of water will be discovered as though springs were there, when no such springs are located upon the city maps.

We must organize our municipal government on lines other than party machinery and secure true minority representation.

The political parties, though on the surface divided, are subterraneously conspiring to make the municipalities their spoil and the tax budgets their quarry.

INSIDE THE WALLS OF COOPER UNION.

Mr. Joseph H. Johnson, Jr. of the Journal, appeared on the platform and made a preliminary speech. He referred to the enthusiasm that Americans pay to victors in warfare, pointed to the local pride of New Yorkers, and asked if they have first to see the work of the plunderer before becoming aroused to action.

There was great cheering when Comptroller Coler's speech was introduced.

It was several seconds before he could venture upon his remarks, so deafening was the applause.

Mr. Russell Assails Ramapo. Mr. George Doan Russell was introduced as secretary of the meeting, and said that he considered it a great honor to stand behind the Comptroller and the Vigilance Committee in fighting the Ramapo outrage, and said that he had long settled in his own mind that public ownership of public franchises was not only expedient, but a necessity.

"As Dewey was instructed to sink, capture or destroy the Spanish fleet, so the citizens of New York should not rest satisfied until they had annihilated the Ramapo scheme," said Mr. Russell. He was loudly applauded.

The crowd yelled loudly for Charles Frederick Adams, and he was vociferously cheered when he was introduced by Chairman Sterne. He said:

Mr. Moss speaks. Mr. Moss said he would not make an effort to deliver a speech, but would sympathize with the purposes of the meeting.

The question now is, what are you going to do about it?

"It seems to me that we are paying too much attention to the men of the Ramapo Water Company and too little attention to the men who make the formation of such a contract void."

"It would not be the men of Fifth avenue who would have to pay that Ramapo bill. It would be the wage earners of the city."

"If the great body of the New York Journal in calling this meeting is able to keep this matter in check until the elections come again because I warrant you that there will be some one else then in charge."

The citizens themselves will then take up the work the Journal began.

"We will welcome the investigation of the Mazet Committee. But after they get through with it, we the workmen, will take it up and see what we can find out about it."

"If the wage workers here to-night are sincere in their enthusiasm and will carry that sincerity to the ballot box on November, such another meeting as this will never have to be called, because no other corporation like the Ramapo Water Company can ever be formed."

Lawyer Fulton's Remarks. Thomas A. Fulton, the well-known lawyer, said he was sure the names of the 1200 men Elias B. Ditcher had referred to as having signed the petition upon which the Ramapo Water Company's proposal was based had been misused.

CROWDS FILL THE STREETS OUTSIDE COOPER UNION.

The overflow meeting outside the main doors of Cooper Union was, if anything, a bigger success than that in the great auditorium itself, and this feature of the demonstration was the most noteworthy because the assemblage, while it evidently enjoyed and appreciated the music and fireworks provided for its delectation, remained almost in its entirety to hear the speakers dissect and denounce the great Ramapo job.

The spectacle presented on the Cooper Union plaza at the time set for the beginning of the open-air meeting was varied and surprising from whatever point of view considered. Thousands of eager and excited citizens surrounded the Journal's handsome stand, which had been erected directly opposite the principal entrance to the building.

Every point of vantage in the vicinity was crowded with onlookers. The steps and porches of the Cooper Union were black with spectators. From the many windows of the Bible House opposite hundreds looked down upon the animated scene.

There were many Tammany Hall men in the throng—good, hard-headed organization men who had happened around to see how things were going. They admitted that they were astounded at the size and vigor of the demonstration.